



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/284,199	8/2/94	Burrell	1130261 CONT.

EXAMINER

Fox

ART UNIT	PAPER NUMBER
----------	--------------

1803

15

DATE MAILED:

EXAMINER INTERVIEW SUMMARY RECORD

All participants (applicant, applicant's representative, PTO personnel):

- (1) Dr. Michael H. Burrell (3) David Fox
(2) Joseph Eisele (4) Kenneth MacLean

Date of interview 2/5/97

Type: ☐ Telephonic ☒ Personal (copy is given to ☐ applicant ☒ applicant's representative).

Exhibit shown or demonstration conducted: ☒ Yes ☐ No. If yes, brief description: prepared amendment;

data re use of >1 gene to show lack of deleterious effects in plants; to be resubmitted in declaration form

Agreement ☐ was reached with respect to some or all of the claims in question. ☐ was not reached.

Claims discussed: All

Identification of prior art discussed: van Schaewen et al.

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: Proposed amendment appears to address

112 and issues and 102 or 103 issues; removal of parentheses in claim 2 and
others, and moving of semicolon in claim 69 also discussed. 112 lit
re >1 gene at a time addressed by data to be submitted in
declaration form for further consideration. Van Schaewen et al
urged to be unresponsive, as it taught ectopic expression and
predictable variability in transplants. Exmr suggested amendment to
address ectopic variability issue to be considered further. References re PFR
and PK in transpl. plants to be submitted. New references re gene sequence

(A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.)

☐ 1. It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph below has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW (e.g., items 1-7 on the reverse side of this form). If a response to the last Office action has already been filed, then applicant is given one month from this interview date to provide a statement of the substance of the interview.

☐ 2. Since the examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the substance of the interview unless box 1 above is also checked.